STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, Suite S-2102
1190 St. Francis Drive
Santa Fe, New Mexico 87505
Phone: (505) 827-2425
Fax: (505) 827-2836

DRAFT MEETING MINUTES
ENVIRONMENTAL IMPROVEMENT BOARD MEETING
June 26, 2020
1:00 P.M.
Virtual Meeting on Webex

To connect via video conference, go to: https://nmed-oit.webex.com/nmed-oit/j.php?MTID=m819848a7869fc77223de9b925ca88237
When prompted, dial the meeting number: 133 874 5976
The password is: nmVEaXq4u76

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When Prompted, dial access code: 133 874 5976

Members present:
John Volkerding, Chair
Phoebe Suina, Vice Chair
Amanda Trujillo Davis, Secretary
Barry Bitzer, Member
Karl Cates, Member
Dr. Benjamin Duval, Member
Karen Garcia, Member

Members absent:

Others present:
Cody Barnes, Board Administrator
Karla Soloria, Board Counsel
Lara Katz, Assistant General Counsel, New Mexico Environment Department in EIB 20-33 (A)
Elizabeth Bisby-Kuehn, Air Quality Bureau Chief, New Mexico Environment Department
Daniel Timmons, counsel for Petitioner, WildEarth Guardians, in EIB 20-33 (A)
Samantha Rucavage-Barz, counsel for Petitioner, WildEarth Guardians, in EIB 20-33 (A)
Jeremy Nichols, Climate and Energy Program Director, WildEarth Guardians
Adam Rankin, counsel for Spur Energy Partners, LLC. in EIB 20-33 (A)
Brad Coffe, Vice Preseident, Spur Energy Partners, LLC.
Louis Rose, counsel for XTO Energy Inc in EIB 20-33 (A)

The following items are for discussion and possible action:

The Chair called the Board into order at 1:00 P.M.

**Item 1. Roll call.**

*Action:* The Administrator called the roll; a quorum was present. Chair Volkerding discussed the protocol of the virtual meeting. He provided contact information for any individual experiencing technical issues. He mentioned the items on the agenda were time sensitive, which allowed the Board to meet virtually, per advice from the Open Government Division of the Attorney General’s Office. Chair Volkerding pointed out that Administrator Barnes will video record the meeting and will post the recording on the Board’s website as soon as practicable after the meeting.

**Item 2. Approve the agenda.**

*Action:* Member Bitzer moved to approve the agenda. Chair Volkerding seconded the motion. Chair Volkerding called a voice vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.

**Item 3. How notice requirements were met for the meeting.**

*Action:* Board Administrator Barnes described how notice requirements were met for the meeting consistent with the Board’s Open Meetings Act Resolution.

**Item 4. Approval of meeting minutes from May 22, 2020.**

*Action:* Member Bitzer moved to approve the meeting minutes from the meeting on May 22, 2020. Member Duval seconded the motion. Chair Volkerding called a voice vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.

**Item 5. Public comment unrelated to agenda items.**

*Action:* There was no public comment.

Action: Daniel Timmons and Samantha Ruscavage-Barz, co-counsel for the Petitioner, WildEarth Guardians, Jeremy Nichols with WildEarth Guardians; Lara Katz, counsel for the New Mexico Environment Department; Adam Rankin counsel for Spur Energy Partners, LLC., Brad Coffe with Spur Energy Partners, LLC.; and Louis Rose, counsel for XTO Energy Inc. discussed the petition. The Petitioner mentioned they would be willing to consolidate this matter with EIB 20-21 (A). The Board discussed and deliberated the petition. Chair Volkerding moved for the Board to agree to a hearing on August 10, 2020, with Chair Volkerding as Hearing Officer, and to allow the Hearing Officer to consolidate this matter with EIB 20-21 (A) if the parties come to agreement at a later time. Member Cates seconded the motion. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Suina: aye; Secretary Trujillo Davis: aye; Chair Volkerding: aye. The motion passed 7-0.


Action: Board Administrator Barnes stated there were no items yet for the July meeting.

Item 8. Adjournment

Action: The meeting was adjourned at 2:11 P.M.

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Amanda Trujillo Davis, Secretary